

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Vadim I. Rakhovsky

International Application No.: PCT/RU2003/000291

International Filing Date: 3 May 2003

Serial No.: 10/520,966

Group Art Unit: NOT YET ASSIGNED

Filed: January 10, 2004

Examiner: NOT YET ASSIGNED

For: NANOMETRIC POSITIONING DEVICE

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as "Express Mail Post Office to Addressee" Mailing Label Number **EV516209078US** to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

April 1, 2005
Date
Steven E. Koffs
Steven E. Koffs, Registration No. 37,163

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed herewith is an Information Disclosure Statement pursuant to 37 CFR.
§ 1.56 in connection with the above-identified application, which statement is being filed:

- ☐ Together with the present application.
- ☒ Before the first Office Action on the merits or three (3) months from the filing date of this application, whichever occurs last. **[37 CFR § 1.97(b)]**
- ☐ After the first Office Action on the merits, but before a Final Office Action under §1.113 or Notice of Allowance under §1.311, whichever occurs first. **[37 CFR § 1.97(c)]**
- ☐ After a Final Office Action under §1.113 or Notice of Allowance under §1.311, but prior to or with payment of the Issue Fee. **[37 CFR § 1.97(d)]**

Consistent with Applicant's obligations pursuant to 37 CFR §§1.97 and 1.98, the following requirements have been met:

☒ [X] No separate requirements are needed.

☒ [X] No additional fee is required.

☐ [] **Fee Under 37 CFR § 1.97(c)**

The fee of \$180.00 for submission of an IDS under § 1.97(c) as set forth in § 1.17(p) accompanies this statement.

☐ [] **Fee Under 37 CFR § 1.97(d)**

The fee of \$180.00 for submission of an information disclosure statement under § 1.97(d) set forth in § 1.17(p) accompanies this statement.

☐ [] **Certification Under 37 CFR § 1.97(e)**

- ☐ () Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
- ☐ () No item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement.

Provision of Copies of References

- ☒ [X] Copies of cited references which are U.S. Patents or U.S. Patent Application Publications are not required for this application, which has a filing date after June 30, 2003 (1276 OG 55, 5 August 2003).
- ☐ [] A copy of each of the references listed on the attached Form PTO-1449 is enclosed herewith and forms a part hereof.

- ☐ Partial Translations of References are enclosed herewith and form a part hereof.
- ☐ A copy of the European Search Report from a corresponding or related EPO application is enclosed herewith.
- ☐ A copy of the International Search Report from a corresponding or related PCT application is enclosed herewith.

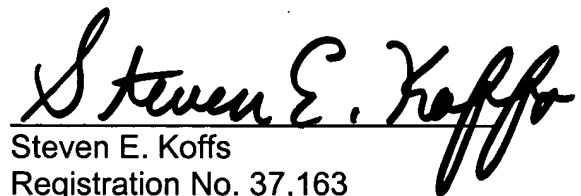
Identification of Prior Application(s) In Which Listed Information Was Already Cited And For Which No Copies Are Submitted Or Need Be Submitted

- ☐ This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior U.S. Application No(s). The following references were submitted to, and/or cited by, the Office in the prior application(s) and therefore are not required to be provided in this application:
- ☒ The Commissioner is hereby authorized to charge any fees associated with this communication or credit any overpayment to Deposit Account No. 04-1679. A duplicate copy of this transmittal is attached.

Respectfully submitted,

DATE:

4-1-05



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